



UNITED STATES DEPARTMENT OF COMMERCE
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Washington, DC 2023

March 5, 2003

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In re application of:
Mark Lyles **DECISION ON PETITION**
Serial No.: 09/677,962
Filed: October 3, 2000
For: POROUS DRUG DELIVERY SYSTEM

This is a decision on the petitions received on October 15, 2002, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed December 11, 2000. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned February 12, 2001. The notice of abandonment was mailed August 27, 2002.

On October 15, 2002, the office received a communication from the attorney of record. Enclosed was an acknowledgement that the attorney never received the Notice to File Missing Parts mailed December 11, 2000.

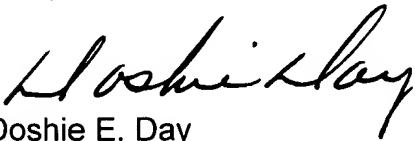
The evidence submitted is sufficient to establish that the petitioners never received the Notice to File Missing parts mailed December 11, 2000.

The petition is hereby GRANTED.

A new Notice to File Missing Parts is enclosed with this Decision setting forth a new response period of two months from the date of the notice.

The office regrets any inconvenience this may have caused the client.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.

A handwritten signature in cursive script, appearing to read "Doshie E. Day".

Doshie E. Day
Program Management Assistant
Office Initial Patent Examination